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PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968
TRUMAN A. HERRON 1935-1976
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TECHNICAL ADVISORS
HENRY M. LABODA, PH.D.

June 3, 2004

FACSIMILE COVER SHEET

To: USPTO Art Unit 3762 Examiner
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22213-1450

From: Douglas A. Scholer
Reg. No. 52,197

Re: U.S. Patent Application
Serial No. 10/789,861
Filed: February 27, 2004
Applicant: James M. Campos et al.
Art Unit: 3762
Confirmation No.: 8466
Our Ref: ROWE-03A

Fax: 703-872-9306

Enclosures:

Fax Cover Sheet containing Certificate of
Facsimile Transmission (1 page)
Information Disclosure Statement containing
Certificate of Facsimile Transmission
(2 pages)
PTO-1449 (8 pages)

Pages: 11 (including cover sheet)

MESSAGE/COMMENTS OFFICIAL

CERTIFICATE OF FACSIMILE TRANSMISSION

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Judith L. Volk
Judith L. Volk

June 3, 2004
Date

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Judith L. Volk
Judith L. Volk

June 3, 2004
Date

PATENT
ROWE/03A
Confirmation No. 8466

Applicant : Bruce D. Rowe et al.
Serial No. : 10/789,861
Filed : February 27, 2004
For : RESONANT MUSCLE STIMULATOR

Art Unit: 3762
Examiner: Unknown

June 3, 2004

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of candor and good faith imposed by 37 CFR §1.56 and means of complying therewith according to 37 CFR §§1.97 and 1.98, the references listed on the attached forms PTO-1449 (8 pages) are called to the attention of the U.S. Patent and Trademark Office in connection with the above-identified application.

Each of the references was cited in the parent for the above-identified application, U.S. Serial No.10/047,745, filed on January 15, 2002. Accordingly, no copies of the references are provided.

No representation is made that any of the references are "prior art" within the meaning of 35 U.S.C. § 102 or § 103. Moreover, any explanations herein are not to be taken as a representation that the references have been thoroughly reviewed. In

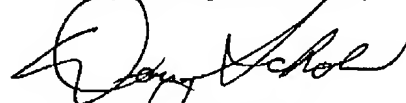
Serial No. 10/789,861
Information Disclosure Statement
Date: June 3, 2004
Page 2 of 2

particular, no representation as to the relative relevance of any portion of a reference is intended.

The Examiner is respectfully requested to review each reference cited and to note the review on the attached PTO-1449 forms (8 pages) and to reach their own independent determination of its materiality, if any.

To the best of Applicants' knowledge and belief, this Information Disclosure Statement is being filed prior to the receipt of a first Office Action on the Merits of this case, and therefore, no fees are believed to be due. However, if any charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,



Douglas A. Scholer
Reg. No. 52,197

Wood, Herron & Evans, L.L.P.
2700 Carew Tower
441 Vine Street
Cincinnati, Ohio 45202
Voice: (513) 241-2324
Facsimile: (513) 241-6234
K:\ROWEN\03A\IDS Cover Letter.wpd

Sheet 1(A) of 8

SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. ROWE/03A		SERIAL NO. 10/ 789,861						
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (37 CFR 1.98(b)) (Use several sheets if necessary)				APPLICANT James M. Campos		Confirmation No. 8466						
				FILING DATE February 27, 2004		GROUP 3762						
U.S. PATENT DOCUMENTS												
EXAMINER INITIAL		PATENT NUMBER						ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A.A	2	6	7	0	2	5	11/1882	See			
	A.B	3	1	0	7	3	3	1/1885	Shaw			
	A.C	3	1	1	3	8	1	1/1885	Shaw			
	A.D	3	4	1	5	9	3	5/1886	McGinnis			
	A.E	R	e	3	6	2	6	0	7/1999	Smith et al.	607	75
	A.F	4	5	1	9	3	6	5/1891	Jolly			
	A.G	9	2	0	8	3	7	5/1909	Moulin			
	A.H	1	5	8	3	2	6	1	5/1926	Sence		
	A.I	2	3	5	0	7	9	7	6/1944	Morland et al.	250	36
	A.J	3	4	2	4	1	6	5	1/1969	Moss	128	405
	A.K	3	9	4	6	7	4	5	3/1976	Hsiao-Lai et al.	128	421
FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS												
		DOCUMENT NUMBER						PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION (YES/NO)
	A.L											
	A.M											
	A.N											
	A.O											
	A.P											
	A.Q											
OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)												
	A.R	EMPI, <u>Instruction Manual for the Empi® EPIX XL™ TENS Device</u> , Instruction Manual, 20 pgs., 1988										
	A.S	Rich-Mar Corporation, <u>Rich-Mar H.V. 20</u> , Brochure, 4 pgs., 1987										
	A.T	Mettler Electronics Corp., <u>Muscle Stimulator User Manual</u> , Jun. 1986, 6 pgs.										
EXAMINER									DATE CONSIDERED			
EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance and not considered. Include a copy of this form with next communication to applicant.												

Substitute Disclosure Form (PTO-1449)

Sheet 2 (B) of 8

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)				APPLICANT James M. Campos		Confirmation No. 8466	
(37 CFR 1.98(b))				FILING DATE February 27, 2004		GROUP 3762	

U.S. PATENT DOCUMENTS													
EXAMINER INITIAL		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	B.A	4	1	2	1	5	9	4	10/1978	Miller et al.	128	422	
	B.B	4	1	7	7	8	1	9	12/1979	Kofsky et al.	128	422	
	B.C	4	2	3	3	9	8	6	11/1980	Tannenbaum	128	421	
	B.D	4	2	7	9	2	5	6	7/1981	Bucalo	128	419	
	B.E	4	3	3	8	9	4	5	7/1982	Kosugi et al.	128	421	
	B.F	4	3	7	2	3	1	9	2/1983	Ichinomiya et al.	128	421	
	B.G	4	4	3	4	7	9	8	3/1984	Trnkoczy et al.	128	421	
	B.H	4	4	7	1	7	8	4	9/1984	Kympl	128	422	
	B.I	4	5	0	3	8	6	3	3/1985	Katims	128	741	
	B.J	4	5	1	0	9	3	6	4/1985	Fourcin et al.	128	419	
	B.K	4	5	2	0	8	2	5	6/1985	Thompson et al.	128	422	

FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS							
		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION (YES/NO)
	B.L						
	B.M						
	B.N						
	B.O						
	B.P						
	B.Q						

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)		
	B.R	
	B.S	
	B.T	

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Substitute Disclosure Form (PTO-1449)

Sheet 3 (C) of 8

SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. ROWE/03A		SERIAL NO. 10/ 789,861	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)				APPLICANT James M. Campos		Confirmation No. 8466	
(37 CFR 1.98(b))				FILING DATE February 27, 2004		GROUP 3762	

U.S. PATENT DOCUMENTS													
EXAMINER INITIAL		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	C.A	4	5	4	1	4	3	2	9/1985	Molina-Negro et al.	128	421	
	C.B	4	5	8	2	0	6	3	4/1986	Mickiewicz et al.	128	421	
	C.C	4	5	9	5	0	1	0	6/1986	Radke	128	421	
	C.D	4	6	4	0	2	8	6	2/1987	Thomson	128	421	
	C.E	4	6	8	8	5	7	4	8/1987	Dufresne et al.	128	421	
	C.F	4	6	9	0	1	4	5	9/1987	King-Smith et al.	128	421	
	C.G	4	7	1	2	5	5	8	12/1987	Kidd et al.	128	421	
	C.H	4	7	6	3	6	5	6	8/1988	Nauman	128	421	
	C.I	4	7	6	9	8	8	1	9/1988	Pedigo et al.	128	419	
	C.J	4	7	9	3	3	5	3	12/1988	Borkan	128	421	
	C.K	4	8	0	5	6	2	1	2/1989	Heinze et al.	128	419	

FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS							
	DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION (YES/NO)	
	C.L						
	C.M						
	C.N						
	C.O						
	C.P						
	C.Q						

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)	
	C.R
	C.S
	C.T

EXAMINER	DATE CONSIDERED
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Substitute Disclosure Form (PTO-1449)

Sheet 4 (D) of 8

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (37 CFR 1.98(b)) (Use several sheets if necessary)				APPLICANT James M. Campos		Confirmation No. 8466							
				FILING DATE February 27, 2004		GROUP 3762							
U.S. PATENT DOCUMENTS													
EXAMINER INITIAL		PATENT NUMBER						ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	D.A	4	8	2	1	7	2	3	4/1989	Baker, Jr. et al.	128	419	
	D.B	4	9	1	9	1	3	9	4/1990	Brodard	128	421	
	D.C	4	9	2	2	9	0	8	5/1990	Morawetz et al.	128	422	
	D.D	4	9	2	6	8	6	5	5/1990	Oman	128	421	
	D.E	4	9	4	7	8	3	6	8/1990	Laenger et al.	128	419	
	D.F	4	9	4	7	8	4	4	8/1990	McDermott	128	421	
	D.G	4	9	4	9	7	2	1	8/1990	Toriu et al.	128	421	
	D.H	4	9	6	0	1	2	4	10/1990	Masaki	128	421	
	D.I	5	0	1	8	5	2	4	5/1991	Gu et al.	128	421	
	D.J	5	0	3	1	6	1	8	7/1991	Mullett	128	421	
	D.K	5	0	3	3	4	6	8	7/1991	Takeuchi et al.	128	421	
FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS													
		DOCUMENT NUMBER						PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION (YES/NO)	
	D.L												
	D.M												
	D.N												
	D.O												
	D.P												
	D.Q												
OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)													
	D.R												
	D.S												
	D.T												
EXAMINER									DATE CONSIDERED				
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Substitute Disclosure Form (PTO-1449)

Sheet 5 (E) of 8

SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. ROWE/03A		SERIAL NO. 10/ 789,861	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)				APPLICANT James M. Campos		Confirmation No. 8466	
(37 CFR 1.98(b))				FILING DATE February 27, 2004		GROUP 3762	

U.S. PATENT DOCUMENTS													
EXAMINER INITIAL		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	E.A	5	0	3	6	8	5	0	8/1991	Owens	128	421	
	E.B	5	0	6	7	4	9	5	11/1991	Brehm	128	421	
	E.C	5	0	6	9	2	1	1	12/1991	Bartelt et al.	128	421	
	E.D	5	0	8	1	9	8	9	1/1992	Graupe et al.	128	419	
	E.E	5	0	9	7	8	3	3	3/1992	Campos	128	421	
	E.F	5	1	8	3	0	4	1	2/1993	Toriu et al.	128	421	
	E.G	5	2	5	1	6	3	7	10/1993	Shalvi	128	735	
	E.H	5	2	8	1	2	1	9	1/1994	Kallok	607	42	
	E.I	5	2	9	1	8	8	3	3/1994	Kreutner	128	421	
	E.J	5	3	5	0	4	1	5	9/1994	Cywinski	607	68	
	E.K	5	3	5	0	4	1	4	9/1994	Kolen	607	62	

FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS							
		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION (YES/NO)
	E.L						
	E.M						
	E.N						
	E.O						
	E.P						
	E.Q						

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)	
	E.R
	E.S
	E.T

EXAMINER	DATE CONSIDERED
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Sheet 6 (F) of 8

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICANT James M. Campos		Confirmation No. 8466								
(37 CFR 1.98(b)) (Use several sheets if necessary)				FILING DATE February 27, 2004		GROUP 3762								
U.S. PATENT DOCUMENTS														
EXAMINER INITIAL		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	F.A	5	3	8	5	5	3	0	1/1995	Wu	601	21		
	F.B	5	4	1	1	5	2	5	5/1995	Swanson et al.	607	5		
	F.C	5	4	3	3	7	3	7	7/1995	Aimone	607	72		
	F.D	5	4	5	6	7	0	9	10/1995	Harnedi	607	138		
	F.E	5	4	7	6	5	0	4	12/1995	Paolizzi	607	150		
	F.F	5	5	0	7	7	8	1	4/1996	Kroll et al.	607	7		
	F.G	5	5	1	4	1	6	7	5/1996	Smith et al.	607	75		
	F.H	5	5	4	0	7	2	1	7/1996	Kroll	607	5		
	F.I	5	5	7	5	8	0	9	11/1998	Sasaki	607	62		
	F.J	5	5	9	3	4	2	7	1/1997	Gliner et al.	607	7		
	F.K	5	6	0	1	6	0	8	2/1997	Mouchawar	607	5		
FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS														
		DOCUMENT NUMBER							PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION (YES/NO)	
	F.L													
	F.M													
	F.N													
	F.O													
	F.P													
	F.Q													
OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)														
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EXAMINER										DATE CONSIDERED				
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Sheet 7 (G) of 8

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				FILING DATE February 27, 2004		GROUP 3762							
U.S. PATENT DOCUMENTS													
EXAMINER INITIAL		PATENT NUMBER						ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	G.A	5	6	0	7	4	6	1	3/1997	Lathrop	607	75	
	G.B	5	6	0	9	6	1	8	3/1997	Archer	607	74	
	G.C	5	6	2	6	6	2	8	5/1997	Ganansia	607	47	
	G.D	5	6	4	3	3	3	1	7/1997	Katz	607	48	
	G.E	5	7	0	2	4	2	8	12/1997	Tippey et al.	607	41	
	G.F	5	7	0	2	4	2	3	12/1997	Hujimaki	607	2	
	G.G	5	7	3	5	8	7	9	4/1998	Gliner et al.	607	7	
	G.H	5	7	9	7	9	6	4	8/1998	Carlson et al.	607	2	
	G.I	5	8	0	0	5	0	3	9/1998	Edmark et al.	607	145	
	G.J	5	8	1	7	0	3	0	10/1998	Tarjan et al.	600	546	
	G.K	5	8	1	7	1	4	1	10/1998	Ilmori	607	76	
FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS													
		DOCUMENT NUMBER						PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION (YES/NO)	
	G.L												
	G.M												
	G.N												
	G.O												
	G.P												
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Substitute Disclosure Form (PTO-1449)

Sheet 8(H) of 8

SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. ROWE/03A		SERIAL NO. 10/ 789,861							
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U.S. PATENT DOCUMENTS													
EXAMINER INITIAL		PATENT NUMBER						ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	H.A	5	8	1	7	1	4	2	10/1998	Corder	607	76	
	H.B	5	8	6	8	6	5	3	2/1999	Klasen	482	110	
	H.C												
	H.D												
	H.E												
	H.F												
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FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS													
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	H.M												
	H.N												
	H.O												
	H.P												
	H.Q												
OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)													
	H.R												
	H.S												
	H.T												
EXAMINER									DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance <u>and</u> not considered. Include a copy of this form with next communication to applicant.													

Substitute Disclosure Form (PTO-1449)